

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:22 MJ 1098 (JMB)
)	
KEITH POKE,)	
)	
Defendant.)	

MOTION FOR PRE-TRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Samantha J. Reitz, Special Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the Government states as follows:

1. The defendant is charged in Count I with an offense for which the maximum term of ten years or more is prescribed in the Controlled Substances Act (21 U.S.C. 801 et seq.), possession with the intent to distribute a controlled substance in violation of Title 21, United States Code, Section 841(a)(1). *See* 18 U.S.C. § 3142(e)(3)(A) and (f)(1)(C).

2. Accordingly, a rebuttable presumption arises pursuant to Title 18, United States Code, Section 3142(e)(3) that there are no conditions or combination of conditions which will

reasonably assure the appearance of the defendant as required and the safety of any other person and the community.

3. Pursuant to Title 18, United States Code, Section 3142(g), the nature of the allegations against the defendant, the weight of the evidence against the defendant, the defendant's history and characteristics, and the nature and seriousness of the danger to any person or the community that would be posed by the defendant's release additionally warrant the defendant's detention pending trial.

4. There is a serious risk that the defendant will flee should he be released. After landing from a one-way flight from Los Angeles to St. Louis, which had been reserved within several hours of departure, the defendant was found to have approximately 50 pounds gross weight of methamphetamine in his suitcases, which exposes him to enhanced penalties.

5. The defendant is also a threat to the community. In addition to the present charges, the defendant is currently on state supervision. He has two state felony convictions in Missouri for tampering and possession of a controlled substance. Furthermore, the defendant's probation for felony tampering was revoked in 2019, and he was re-sentenced to four years of incarceration. There is therefore a real danger of re-offense, if the defendant should be released.

WHEREFORE, the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING
United States Attorney

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